



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
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OFFICE OF
ECOSYSTEMS, TRIBAL AND
PUBLIC AFFAIRS

April 26, 2010

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Re: EPA Region 10 Review of the Swan Falls Hydroelectric Project in Idaho (FERC Project No. 503-048). EPA Project Number: 10-010-FRC

Dear Ms. Bose:

The U.S. Environmental Protection Agency (EPA) has reviewed draft Environmental Impact Statement (DEIS) for the Swan Falls Hydroelectric Project (CEQ Number 2010071) in Ada and Owyhee counties, Idaho. Our review of the DEIS was conducted in accordance with our responsibilities under National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act.

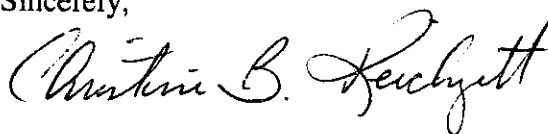
Section 309 specifically directs the EPA to review and comment in writing on the environmental impacts associated with all major federal actions. Under our Section 309 authority, our review of the DEIS considers the expected environmental impacts, and the adequacy of the EIS in meeting procedural and public disclosure requirements of NEPA.

The DEIS evaluates the potential impacts associated with the relicensing of Swan Falls dam under three different alternatives: no action; the Applicant's alternative (Idaho Power); and the FERC staff alternative. The existing project is composed of a concrete dam, spillway, powerhouse, switchyard, and transmission lines. No changes to generation capacity or ramping rates are proposed under any of the action alternatives. There would be a change in the minimum flow regime to provide instantaneous minimum flows of 3,900 cubic feet per second (cfs) from April 1 to October 31 each year, and 5,600 cfs from November 1 to March 31 under both of the action alternatives. Differences between the staff alternative and the Idaho Power alternative relate primarily to water quality and resident fish monitoring programs, transmission line maintenance, recreation, and cultural resources management. The FERC staff alternative has been identified as the preferred alternative.

The current relicensing effort provides a rare and critical opportunity to comprehensively evaluate the impacts associated with the Swan Falls project, and to look for opportunities to improve water quality, water flow, recreation, fish and wildlife habitat, and aesthetics. Within this context, we generally support the staff alternative. We would like to see additional information included in the final EIS with respect to adaptive management, including timelines for evaluation and triggers for pursuing additional management measures. We would also like to

see additional information in the document regarding the future management of lands to be removed from the project boundary, the management of invasive species, and an expanded discussion on the extent to which Idaho Power will be required to monitor white sturgeon in the reach above and below Swan Falls Dam. Please see the accompanying detailed comments for further explanation. Based on our analysis, we have assigned the DEIS a rating of EC-1. An explanation of this rating is enclosed. We appreciate the opportunity to provide comments, and I encourage you to contact me, or Teresa Kubo of my staff with any questions. She can be reached at, (503) 326-2859 or kubo.teresa@epa.gov.

Sincerely,



Christine B. Reichgott, Manager
Environmental Review and Sediment Management Unit



**EPA Region 10 Detailed Comments
Swan Falls Hydroelectric Project
April 14, 2010**

Adaptive Management

We support the water quality monitoring program proposed under the staff alternative. The monitoring of discharge, water temperature, dissolved oxygen, and total dissolved gas in the project inflow and outflow would be consistent with the conditions laid out in the water quality certification issued by the Idaho Department of Environmental Quality. Further, this monitoring would help to define any project effects on water quality and help to determine whether any additional measures are warranted to address project effects on water resources. The document lacks clarity, however, regarding how the monitoring data collected would be used in the context of adaptive management.

Recommendation: We recommend that the FEIS elaborate on the adaptive management program. This includes the frequency with which collected water quality data would be analyzed, triggers for additional management measures for specific water quality parameters, and a discussion of the kinds of operational changes that might be pursued to address project effects on water resources.

Invasive Species

A noxious weed management plan is described on pages 60-61 in the DEIS. We are supportive of the concepts described, but find the description of the plan in the DEIS to be too broad to allow for a clear understanding of the measures to be implemented. We recognize that the noxious weed management plan is a standalone document, but we recommend that for the purposes of review and full disclosure, the FEIS include additional detail.

Recommendation: We recommend that the FEIS provide additional detail on the noxious weed management plan, including the number of acres to be treated annually, treatment measures that would be pursued, the maximum number of acres to be treated annually with herbicide, and BMPs that would be set in place to protect water bodies and sensitive species.

Management of Lands Outside of the Project Boundary

The DEIS indicates that the project boundary would be amended to remove 791 acres and to add 192 acres. The document provides detail as to how the newly added acres would be managed. It is not clear, however, how the acres removed from the project boundary would be managed, or to whom that management would fall. This is of particular importance as it relates to the management of invasive species.

Recommendation: Please clarify how the lands that would be removed from the project boundary would be managed, particularly as it relates to recreation, access, and the management of invasive species.

White Sturgeon

Idaho Power has proposed to monitor the population of resident fish species in the Swan Falls reservoir and the 15 mile reach downstream of Swan Falls dam every 5 years in the spring and fall. This measure was determined by FERC staff to be too broad to be of any benefit as it relates to the project. Resident fish monitoring is therefore not included in the staff alternative. We recognize that it may not be possible to design a monitoring program capable of detecting the effects of specific project-related actions. We note, however, that the White Sturgeon Conservation Plan (WSCP) calls for intensive evaluation of the white sturgeon population every five years in the CJ Strike to Swan Falls reach, and every 10 years below the Swan Falls dam. It is not clear in the DEIS whether the lack of a resident fish monitoring program in the staff alternative would have any bearing on these monitoring efforts recommended by the WSCP.

Recommendation: Please clarify the extent to which Idaho Power will be required to monitor White Sturgeon in the reach above and below Swan Falls Dam. We recommend that a monitoring program be implemented that is consistent with the WSCP.